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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,095	12/01/2000	Dario de Judicibus	GB920000002US1	4536

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THE LAW OFFICE OF IDO TUCHMAN  
69-60 108ST., SUITE 503  
FOREST HILLS, NY 11375

EXAMINER
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MAHMOUDI, HASSAN

ART UNIT	PAPER NUMBER
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2165

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/728,095

Applicant(s)

JUDICIBUS, DARIO DE

Examiner

Tony Mahmoudi

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 18,19,21-23,25-27 and 29-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18,19,21-23,25-27 and 29-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
SAM RIMELL  
PRIMARY EXAMINER

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Remarks*

1. In response to communications filed on 20-December-2004, claims 20, 24 and 28 have been withdrawn and claims 18, 21-22, 25-26 and 29 have been amended, and new dependent claims 30-32 have been added per applicant's request. Therefore, claims 18-19, 21-23, 25-27 and 29-32 are presently pending in the application, of which, claims 18, 22 and 26 are in independent form.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that said subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 18-19, 21-23, 25-27 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoe et al (U.S. Patent No. 6,160,556) in view of Perkowski (U.S. patent No. 6,625,581.)

As to claim 18, Kinoe et al teaches a method for finding a query solution in a data space (see Abstract, and see column 4, lines 39-43, where a "query solution" is read on "searching"), the method comprising:

performing an initial query such that a sub-space within the data space is defined that may contain the solution (see column 5, lines 21-46, and see column 6, lines 44-47, where "sub-space" is read on "sub-window"); and

Art Unit: 2165

searching for the solution outside the sub-space without performing another query (see column 2, lines 13-17, and see column 6, lines 28-60.)

Kinoe et al does not teach query in a database, wherein the query includes one or more conditional attributes and one or more display attributes.

Perkowski teaches a method and system of delivering consumer product related information to consumers over the Internet (see Abstract), in which he teaches query in a database (see column 50, line 35 through column 51, line 7), wherein the query includes one or more conditional attributes and one or more display attributes (see column 59, lines 7-45, where “conditional attribute” is read on “search criteria and applet licensing condition”, and “display attribute” is read on “requesting client and its relative location to the associated applet tag”).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Kinoe et al to include query in a database, wherein the query includes one or more conditional attributes and one or more display attributes.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Kinoe et al by the teaching of Perkowski, because including query in a database, wherein the query includes one or more conditional attributes and one or more display attributes, would enable the user to search a database and be able to define search criteria (via conditional attributes) by which the desired search results (via the display attributes) would be achieved.

As to claims 19, 23, and 27, Kinoe et al as modified, teaches wherein searching for the solution outside the sub-space without performing another query (see Kinoe et al, column 2, lines 13-17, and see column 6, lines 28-60) includes graphically navigating outside the sub-space (see Kinoe et al, figures 3-8, and see column 1, lines 36-43.)

As to claims 21, 25, and 29, Kinoe et al as modified, teaches wherein searching for the solution outside the sub-space without performing another query (see Kinoe et al, column 2, lines 13-17, and see column 6, lines 28-60) includes changing conditional attributes to display attributes (see Kinoe et al, column 4, lines 39-52, where “changing conditional attributes to display attributes” is read on “the sub-window is displayed in the screen and the area within the sub-window is divided into a plurality of regions corresponding to the number of three-dimensional objects”, meaning that the “conditional attribute” (number of three-dimensional objects) changes to “display attribute” (causes the “display to be divided into a plurality of sub-windows)) and display attributes to conditional attributes (see Kinoe et al, column 5, lines 47-50.)

As to claims 30-32, Kinoe et al as modified, teaches wherein the initial query is a Structured Query Language (SQL) query (see Perkowski, column 51, line 5, and see column 59, line 43.)

As to claim 22, Kinoe et al teaches a system for finding a query solution in a data space, (see Abstract, and see column 4, lines 39-43, where a “query solution” is read on “searching”) the system comprising:

an initial query such that a sub-space within the data space is defined that may contain the solution (see column 5, lines 21-46, and see column 6, lines 44-47, where “sub-space” is read on “sub-window”); and

a space navigator configured to search for the solution outside the sub-space without performing another query (see column 2, lines 13-17, and see column 6, lines 28-60.)

For the teaching of “query in a database, wherein the query includes one or more conditional attributes and one or more display attributes”, the applicant is kindly directed to the remarks and discussions made in claim 18 above.

As to claim 26, Kinoe et al teaches a computer program product embodied in a tangible media (see column 3, line 62 through column 4, line 4) comprising computer readable program codes (see column 8, lines 59-62.) For the remaining steps of claim 26, the applicant is kindly directed to the remarks and discussions made in claims 18 and 22 above.

#### ***Response to Arguments***

4. Applicant's arguments filed on 20-December-2004 with respect to the rejected claims in view of the cited references have been fully considered but they are moot in view of the new grounds for rejection.

Art Unit: 2165

*Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (571) 272-4078. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (571) 272-4083.



**SAM RIMELL**  
PRIMARY EXAMINER

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March 1, 2005